



GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

July 22, 2015

Certified Return Receipt  
7014 0150 0000 1194 3064

David L. Penney  
Penney's Gemstones LLC  
2400 East 30 South  
P.O. Box 312  
Beaver, Utah 84713-0312

Subject: Division Directive to Re-Seed Graded SITLA Disturbance, Penney's Gemstones LLC,  
White Tiger Mine, S/027/0093, Millard County, Utah

### **Proof of seeding required by December 1, 2015.**

Dear Mr. Penney:

The Division of Oil, Gas and Mining has inspected the regrading work on School Trust Lands at the site of the White Tiger mine, and has found that this work is adequate. Thank you for your reclamation work. This regraded portion of the site was originally a trespass on Trust lands. The Bureau of Land Management has notified the Division that the disturbance on BLM lands is now associated with a community pit.

At the time of the inspection, no signs of seeding or beneficial vegetation were observed. Utah administrative rule R647-3-109.13.2 requires that revegetation shall be accomplished when the Division determines that revegetation work has been satisfactorily completed within practical limits. Since you did not salvage soil or fines for spreading over the graded disturbance, as required by rule, additional revegetation work will be required to meet this rule.

---

You are hereby directed to:

- 1) Broadcast seed the site by December 1, 2015. The Division strongly recommends that the regraded area be roughened prior to seeding.

AND





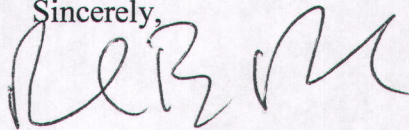
Page 2 of 2  
David Penney  
S/027/0093  
July 22, 2015

- 2) Provide documentation of the seeding, including seed tags, photographs, and a brief report discussing surface roughening and revegetation methods by December 15, 2015.

Failure to abide by one of these requirements is likely to result in enforcement action and associated fines, which could affect your ability to acquire future permits with the Division.

Please contact Peter Brinton at 801-538-5258, or me at 801-538-5261 if you have questions or concerns about this letter. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', with a stylized flourish at the end.

Paul B. Baker  
Minerals Program Manager

PBB: pnb: eb

cc: David Penney, operator (ep7art@mac.com w/ read receipt requested)  
Jerry Mansfield, SITLA (jmansfield@utah.gov)  
Joelle McCarthy, BLM-Fillmore (dbays@blm.gov)

P:\GROUPS\MINERALS\WP\M027-Millard\S0270093-WhiteTiger\final\Directive-07212015.docx